

TOWN OF LOOMIS
ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS TOWN HALL,
6140 HORSESHOE BAR ROAD, SUITE K
LOOMIS, CA 95650

TUESDAY	APRIL 11, 2006	7:00 P.M.
CLOSED SESSION – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.		
a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Subdivision (a) of Section 54956.9: Bickford Ranch Heritage Coalition v. County of Placer Placer County Case No. SCV 12793		
b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation pursuant to subdivision Section 54956.9: Three potential cases		
TUESDAY	APRIL 11, 2006	7:30 P.M.

CALL TO ORDER

Call to order by Mayor Morillas at 7:34 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Morillas
Councilmember Fuson
Councilmember Millward
Councilmember Scherer
Councilmember Ucovich

Absent: None

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. No action.
- b. No action.

EMPLOYEE RECOGNITION

Mayor Morillas presented Kathy Kerdus, the Planning director, her ten year recognition.

MATTERS OF INTEREST TO COUNCILMEMBERS

Councilmember Millward stated the following;

- the Loomis Fire District is putting an initiative on the ballot in November
- like to see if the Town can help
- asked to have this item on the May agenda

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.

Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the

Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

PUBLIC COMMENT: This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is five minutes.

Rosemary Frieborn, Friends of Placer County Animal Shelter, stated the following:

- asking for a new animal shelter in Auburn and that Animal Control be made a stand alone department
- there are six beats and five active officers, the field supervisors position has been vacant for 16 months
- She has been a volunteer there for ten years
- asked Council if they could use their influence to help get some results for the Animal Shelter

Anita Wright, Friends of Placer County Animal Shelter, stated the following:

- she has been with Placer County Search and Rescue and worked with UC Davis
- the shelter needs to have programs and training available
- the shelter doesn't have the facilities or the manpower to take care of the needs of the County
- the department needs to stand alone and have their own budget
- the cities in the County need to have this on their agenda

Councilmember Scherer asked to have this item on the next agenda.

Ken Cassanova, Resident of Rocklin and representing "Rocklin Residents for Responsible Growth," stated the following:

- there is a proposed "Rocklin Crossings" project 243,500 square foot retail center that will be anchored by a 250,000 square foot Walmart Super Center going in at the intersection of Interstate 80 and Sierra College Boulevard off ramp on the South side
- this project will have a devastating affect on the quality of life for Rocklin and Loomis residents
- asked Council to consider working with them in stopping the project from going forward

Mike Murphy, 5503 Belview Court in Rocklin and Vice Chair for the Liberterian Party, stated the following:

- they are pro-business but also for personal rights, the goal of a developer is to see how much cement they can put on a square inch of land
- when the developer starts to buy his government then he has a problem with that
- advised Council to watch their budget when it comes to fun and pretty

ADOPTION OF AGENDA

A motion was made to adopt the Agenda. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR: All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda pulling items 9, 10 and 11 forward for discussion. On motion by Councilmember Scherer, seconded by Councilmember Fuson and passed by voice vote.

CONSENT AGENDA

1. Council Minutes –3/14/06
2. Monthly Check Register – March
3. Statement of Activity
4. Treasurer's Report
5. Planning Status Report
6. Select Projects Update
7. A Resolution of the Town Council of the Town of Loomis Declaring April 24 through April 30, 2006 West Nile Virus

RECOMMENDED ACTION

APPROVE

RECEIVE AND FILE

RECEIVE AND FILE

RECEIVE AND FILE

RECEIVE AND FILE

RECEIVE AND FILE

ADOPT RESOLUTION
Resolution 06-13

And Mosquito & Vector Control Awareness Week for 2006

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|-----|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| 8. | Second Reading of Ordinance 228, Adding a Definition To The Zoning Ordinance For the Word "Attached" | <i>ADOPT ORDINANCE</i> |
| 12. | A Resolution of the Town Council of the Town of Loomis Approving the Improvements Recommended by the Traffic Safety Committee | <i>ADOPT RESOLUTION</i>
Resolution 06-15 |
| 13. | Tuesday April 18 th Council and Planning Commission Workshop | <i>APPROVE</i> |
| 14. | Status of Grant Programs With State Parks and Recreation | <i>RECEIVE AND FILE</i> |

CONSENT ITEMS FORWARDED

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| 9. | Memorandum of Understanding Regarding Transit Service To The Town of Loomis By the Placer County Transit System | <i>APPROVE</i> |
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Councilmember Ucovich stated they need to approve the contract and suggested having a representative from Placer County come to a future meeting to explain some of the services that the Town has.

Following further discussion on the matter, a motion was made to approve the Memorandum of Understanding with Placer County Transit System. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

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| 10. | Agreement To Hire ABACUS To Revise Tree Ordinance And Authorize Manager to Sign | <i>APPROVE</i> |
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Councilmember Millward questioned hiring a consultant to review the Town's Tree Ordinance.

Kathy Kerdus, Planning Director, said we have to change the ordinance in order to enforce.

Ken Menzer, arborist with ABACUS, expounded on what they will be addressing:

- understanding distances, saving infrastructure
- trees planted in incorrect places (with utilities overhead or too close to concrete, planted too close together, etc.)
- he noted that if trees are planted correctly then they should live for years
- they want to make it more clear for mitigation
- it's more than just the ordinance, it is the whole mechanism to make it work

Roger Smith, Open Space Committee, noted the following:

- the Open Space Committee is also reviewing the Tree Ordinance
- they have come up with several recommendations and are looking forward to be working with a consultant

Following further discussion on the matter, a motion was made to approve the agreement to hire ABACUS to revise the Tree Ordinance and authorize the manager to sign. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

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| 11. | A Resolution of the Town Council of the Town of Loomis Authorizing the Town Manager to Purchase a Late Model Dump Truck at a Not-To-Exceed Cost of \$85,000 and Surplus the Existing Dump Truck | <i>ADOPT RESOLUTION</i> |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|

Brian Fragaio, Town Engineer/Public Works Director, asked to revise the resolution pointing out that in order to purchase a dump truck, with the help of Air Pollution Board, they have requested the Town deem the existing dump truck as inoperable.

No public comment.

Following further discussion on the matter, a motion was made to adopt the amended Resolution 06-14, authorizing the Town Manager to purchase a dump truck at a not-to-exceed cost of \$85,000 and to deem the existing dump truck as inoperable. On motion by Councilmember Ucovich, seconded by Councilmember Millward and passed by voice vote.

BUSINESS

15. **Request for High School Senior Project Assistance**

Del Oro High School senior Jenna Sutton is requesting support for the Visual and Performing Arts at Del Oro High School

Recommended action: Discuss and approve assistance if warranted

Public comment:

Jenna Sutton, Del Oro student, asked Council to donate funds for the Visual and Performing Arts at Del Oro High School and answered questions.

Following further discussion on the matter, a motion was made to donate \$100 for the Visual and Performing Arts at Del Oro High School. On motion by Councilmember Millward, seconded by Councilmember Ucovich and passed by voice vote.

16. **Appeal Fee Waiver Denial – Holverstott**

Ron and Suzanne Holverstott appeal a fee waiver denial

Recommended action: Hear the appeal and decide on the merits

Public comment:

No public comment.

Following further discussion on the matter, a motion was made to deny the fee waiver. On motion by Councilmember Fuson, seconded by Councilmember Ucovich and passed by voice vote.

17. **Senior Continued Care Facility**

Consider a development idea to build a senior care facility in Town

Recommended action: Hear presentation by developer and comment on matters that would need to be addressed in a development application and refer the discussion to the April 18th workshop of the Council and Planning Commission for further review

Public comment:

Bob Havian, of the Zalgud company, pointed out that their team has a great interest in doing a senior low income housing development but at this time they have nothing formal to present and answered questions.

Following further discussion on the matter, Council referred this item to be discussed on April 18th at the joint Council and Planning Commission workshop for further review.

18. **Open Space Committee Report Outline**

Approve the report outline for the ad hoc 2005/06 Open Space Committee so the Committee can complete its work on tasks that the Council wants done

Recommended action: Approve the 2005/06 Open Space Committee report outline and request that a report be submitted by the end of this calendar year

Public comment:

Roger Smith, chairman of the Open Space Committee, stated the following:

- the implication is that there will be a single report
- the Open Space Committee will progressively submit reports as they come up - for policy recommendation to Council or for comments to staff and the Planning Commission

Following further discussion on the matter, the Council consensus was to approve the 2005/06 Open Space Committee report outline.

19. **Service Fee Rates** (Continued from March 14, 2006)

Council adopted service fees in December 2005, and certain fees were held over for further consideration

Recommended action: Discuss and give direction

Public comment:

Ken Cassanova noted that anytime you add a fee you will have people avoid using the process.

APPEALS

Jean Wilson, 4301 Barton Road, stated the following:

- prefer \$200 appeal fee to prevent frivolous appeals

- or perhaps a fee waiver based on income (with a form to be completed)
- if there is no fee, then there is a concern with the time delay that citizens may use the appeal process just to be difficult

Roger Smith noted the following:

- a citizen should be informed that he could petition a Councilmember to do the appeal
- or, if they can't get a Councilmember then if the cause is worthy then the \$200 should be sufficient ("put up or shut up")

Following further discussion on the matter, a motion was made to change the appeal fee to \$200. On motion by Councilmember Ucovich, seconded by Councilmember Fuson and passed by the following roll call vote:

Ayes: Fuson, Morillas, Ucovich

Noes: Millward, Scherer

MINOR CUP

No public comment.

Following further discussion on the matter, a motion was made to approve staff's recommendation of \$1,261 deposit +/- actual costs incurred. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich

Noes: None

LIMITED TERM PERMITS

No public comment.

Following further discussion on the matter, a motion was made to approve staff's recommendation of \$100 deposit +/- actual costs incurred. On motion by Councilmember Ucovich, seconded by Councilmember Millward and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich

Noes: None

FACILITY USE

No public comment.

Following further discussion on the matter, a motion was made to approve staff's recommendation of \$25 deposit +/- actual costs incurred for residents; \$50 deposit +/- actual costs incurred for others, and in one year bring this item back for review. On motion by Councilmember Scherer, seconded by Councilmember Fuson and passed by the following roll call vote:

Ayes: Fuson, Morillas, Scherer

Noes: Millward, Ucovich

TREE REMOVAL PERMIT

No public comment.

Following further discussion on the matter, a motion was made to approve staff's recommendation of \$50. On motion by Councilmember Ucovich, seconded by Councilmember Millward and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich

Noes: None

20. Subdivision and Street Naming Policy (Continued from January 10, 2006)

Councilmember Scherer asks that Council consider changes to the policy of naming subdivision and streets

Recommended action: Approve the two additions to the Street Name Policy and advise as to other street names that should be included as examples and advise as to subdivision names that could be used as examples

Public comment:

Jean Wilson suggested looking at some other categories such as – geological features, orchards, historical fruit sheds or fruit ranches, fruit labels, historic landowners in the area

Following further discussion on the matter, Council agreed to have the following street name examples removed: Ninebark, Coffee Berry, River Otter, Rambouliet, Cotswold, Chevoit, and Tamworth. Council agreed to include the following names: names of fruit grown in the area, heritage, historical, geology, geography, and indigenous characteristics of the community. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich

Noes: None

21. **Goals Update**

Discuss new goals to add in the 2006/07 year

Recommended action: Discuss and give direction

Public comment:

No public comment.

Perry Beck, Town Manager, pointed out that South Placer Municipal Utility District will be relocating and asked if the Town would be interested in acquiring their building for a Town Hall.

Councilmember Ucovich stated he would like to add the following goals:

- a Taylor Road plan with design guidelines of what we want there
- also guidelines for small lot subdivisions

Kathy Kerdus, Planning Director, stated the Council will be receiving a binder with all the information they have on design guidelines and at a joint workshop with the Planning Commission decide what to put together and what to include.

FUTURE AGENDA ITEMS: Items listed will be placed on subsequent agendas typically one at a time in the order shown unless otherwise requested by vote of the Council. Items for future agendas are entered in the order received starting at the bottom.

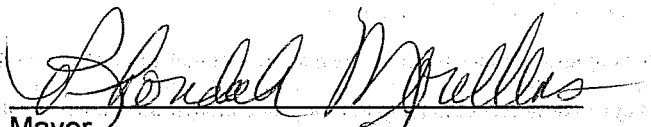
- 8/1992 Design guidelines - Staff
- 10/05 Farmers market site - Ucovich
- 10/05 Fire District Report
- 11/05 Identify park sites in Town (Alice fruit stand site??) - Ucovich
- 11/05 Sheriff building needs in Town - Ucovich
- 12/05 Concrete bench for bus stop at Starr Liquor – Ucovich
- 12/05 Town name plate (monument??) at Sunrise Loomis park - Ucovich
- 1/06 General Plan revise (flood plains, commercial/industrial lands, sphere) - Staff
- 2/06 Appoint Treasurer & Clerk – Ucovich
- 2/06 buy Christmas garland (\$15,000?) for Loomis Station light poles – Ucovich
- Policy and Process clarifications
- 3/06 Park/Open space/Facility funds + Attorney's opinion on Quimby Act


COMMITTEE REPORTS

- 22. Placer County Economic Development Commission – Ucovich
- 23. Placer County Flood Control/Water Conservation District – Morillas
- 24. Placer County Transportation Planning Agency – Ucovich
- 25. Placer County Mosquito Abatement – Ucovich
- 26. Placer County Air Pollution Control District – Millward/Ucovich
- 27. Sacramento Area Council of Governments – Fuson/Ucovich

ADJOURNMENT

Mayor Morillas stated there was no further business and adjourned at 9:55 p.m.


Mayor


Town Clerk